

**DEPARTMENT OF TRANSPORTATION  
BUREAU OF TRANSPORTATION STATISTICS  
OFFICE OF AIRLINE INFORMATION**

**TITLE 14 CODE OF FEDERAL REGULATIONS PART 250  
TECHNICAL REPORTING DIRECTIVE #35 - OVERSALES**

ISSUE DATE: December 9, 2021

EFFECTIVE DATE: Immediately

**The Bureau of Transportation Statistics (BTS) is issuing this Technical Reporting Directive to provide instructions to reporting carriers on reporting of passengers denied confirmed space using BTS Form 250. This Technical Reporting Directive replaces Technical Reporting Directive #32.**

- I. Introduction
- II. Applicability
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**I. Introduction**

14 CFR Part 250 of the Department's aviation regulations, *Oversales*, requires certain U.S. air carriers to submit data on passengers denied confirmed space due to an oversale situation to the Department. The air carriers file this data electronically in accordance with 14 CFR 250.10 and this Technical Directive. The data should be filed using BTS Form 250, "Report of Passengers Denied Confirmed Space Due to an Oversale Situation" or "Form 250" (See Exhibit A). In addition, the data should be filed electronically and should be submitted in both pdf and csv file format.

**II. Applicability**

1. Each reporting air carrier will file Form 250 data if its share of the industry's total domestic scheduled-service passenger revenues exceeds half of one percent (0.005), based on Form 41 data for the 12 months ended June 30. Each year the Office of Airline Information updates the list of reporting air carriers which would then apply for the purposes of this directive.

2. The reportable flight operations for which Form 250 data must be submitted to the Department are (1) all scheduled flight segments originating in the United States operated by the reporting carrier using aircraft that have a designed passenger capacity of 30 or more seats; and (2) all scheduled flight segments originating in the United States marketed under the reporting carrier's code as the only U.S. carrier's code, and operated by a codeshare partner of the reporting carrier that is a certificated air carrier or commuter air carrier using aircraft that have a designed passenger capacity of 30 or more seats.

3. A reporting carrier that markets reportable codeshare flights operated by another carrier must file two separate forms with the required data: (i) one Form 250 containing the data required in paragraph II.2 of this Technical Reporting Directive for the reportable flights it operates, and (ii) one Form 250 containing the data required in paragraph II.2 of this Technical Reporting Directive for the reportable flights it markets, but that are operated by its partner carrier(s).

4. In addition to the required data for each reportable flight, any non-reporting carrier that voluntarily submits Form 250 data pursuant to 14 CFR 234.7 may do so, provided that the Director, Office of Airline

Information (OAI) is advised beforehand. Such voluntary data must be submitted for a period of not less than 12 consecutive months. The voluntary submission must meet the exact reporting specifications set forth in this directive. Volunteering carriers that wish to discontinue reporting after one year must advise the Director, OAI, a minimum of 30 days before discontinuance, so that the necessary changes can be made to the Department's data programs.

### **III. Reporting of Passengers Denied Confirmed Space Due to an Oversale Situation**

Carriers should submit the required Form 250, a certification statement as described below, and the data in electronic format.

#### **Passengers Denied Confirmed Space Due to an Oversale Situation Report Certification Statement:**

A certification statement should be submitted for each Form 250 identifying an appropriate official of the reporting carrier. Reporting carriers that marketed domestic scheduled codeshare flights must file a separate Form 250 for codeshare flights originating in the United States and marketed under the reporting carrier's code as the only U.S. carrier's code as described in paragraph II.2 above.

The certification statement should read:

**I, (Name) and (Title), of the above-named carrier, certify that the Passengers Denied Confirmed Space Due to an Oversale Situation Report data provided in csv file, is to the best of my knowledge and belief, true, correct and a complete report for the period stated.**

**Month and Year of Data:**

**Date:**

**Name (Please Print or Type):**

**Signature:**

Once signed, the *Passenger Denied Confirmed Space Due to an Oversale Situation Report Certification Statement* should be published as an electronic "portable document format" (.pdf) file, for uploading to the eSubmit application.

The portable document format file should be indicated when naming the file, by using the letters [PDF] or [pdf] following the file name, as the file name extension. You must have Adobe Reader software downloaded on your computer in order to "save as/print" your document as a 'pdf' file.

#### **Suggested file name format for the certification statement: XX202103-Form250-Cert.pdf**

While the file name is flexible and may be determined by the individual air carrier, the .pdf file format is required for submission using the Department's e-filing system.

#### **Form 250 and Data Files; Definition of Cash Equivalent**

When reporting compensation data on Form 250 and in electronic data files, carriers should include cash (including cash equivalent compensation) in the total amount reported. On Line 7, carriers are to report the amount of compensation, in the form of "cash or cash equivalent," paid to passengers who voluntarily accepted a carrier's offer to give up reserved space on an oversold flight. For the purposes of reporting cash equivalent compensation, the Department considers issuing checks or electronically transferring the money to consumers through banking systems or other systems such as Paypal, Zelle, Venmo, to be cash equivalent. Further, the Department considers digital or physical prepaid cards that allow consumers to promptly access the funds as they would cash to be cash equivalent.

The Department does not consider vouchers for future travel or other airline products or services or gift cards for specific stores to be cash equivalent, so the value of such compensation should not be included in the amount reported on Line 7.

#### Data Files

In addition to .pdf files with the certification and Form 250, carriers also must provide matching data in an electronic, machine readable format for submission using the Department's e-filing system. The file must be created as an electronic "comma separated value" file for uploading via the "eSubmit" application.

The suggested file name for reports of marketing carrier operated flights is:

**Suggested file name format: XX202103-Form250.csv**

#### **Required Sample Format:**

**AA,2021,03,1177,1358,0,0,746,3281,2636,28566,25450773,0**

In addition, the file name for reports of codeshare flights filed by a marketing carrier should contain the word "codeshare" to indicate the nature of the file.

**Suggested file name format: XX202109-Form250-Codeshare.csv**

#### **Required Sample Format:**

**AA,2021,03,1177,1358,0,0,746,3281,2636,28566,25450773,0**

#### **RECORD DESCRIPTION: Form 250 Data - Report of Passengers Denied Confirmed Space Due to an Oversale Situation**

Field Description	Data Type	Length	Comments	Sample Data
OAG Carrier Code	Character	2	Two Letter (OAG) Carrier Code - When completing the Passengers Denied Confirmed Space Report for covered codeshare flights, use the reporting (marketing) carrier's code.	AA
Quarter Ending Year	Character	4	Year (ccyy)	2021
Quarter Ending Month	Character	2	Month (mm = 03, 06, 09, 12)	03
1. Number of passengers who were denied boarding involuntarily from flights that were oversold, and: (a) who qualified for denied boarding compensation within the meaning of § 250.5(a)(2) and 250.5(b)(2)	Numeric	Varies	See Form 250 Instructions line (B)	1177

1. Number of passengers who were denied boarding involuntarily from flights that were oversold, and: (b) who qualified for denied boarding compensation within the meaning of § 250.5(a)(3) and 250.5(b)(3).	Numeric	Varies	See Form 250 Instructions line (B)	1358
2. Number of passengers denied boarding involuntarily from flights that were oversold, who did not qualify for denied boarding compensation due to: (a) the passenger does not comply fully with the carrier's contract of carriage or tariff provisions regarding ticketing, reconfirmation, check-in, and acceptability for transportation (see § 250.6(a))	Numeric	Varies	See Form 250 Instructions line (C)	0

2. Number of passengers denied boarding involuntarily from flights that were oversold due to (b) substitution of aircraft of lesser capacity or due to weight/balance restrictions on an aircraft with a designed passenger capacity of 60 or fewer seats	Numeric	Varies	See 14 CFR § 250.6(b))	0
2. Number of passengers denied boarding involuntarily from flights that were oversold due to: (c) The carrier arranges comparable air transportation or other transportation that is planned to arrive not later than 1 hour after the planned arrival time of the passenger's original flight or flights	Numeric	Varies	See 14 CFR § 250.6(d)	746
3. TOTAL NUMBER DENIED BOARDING INVOLUNTARILY	Numeric	Varies	See Form 250 Instructions line (D)	3281
4. Number of passengers denied boarding involuntarily from an oversold flight who actually received compensation, regardless of the type of compensation (e.g., voucher, cash).	Numeric	Varies	See Form 250 Instructions line (E)	2535
5. Number of passengers who voluntarily accepted a carrier's offer to give up reserved space due to a potential oversale situation and did not travel on their original flight in exchange for a payment of the carrier's choosing.	Numeric	Varies	See Form 250 Instructions line (F)	28566
6. Total Boardings.	Numeric	Varies	See Form 250 Instructions line (G)	25450773
7. Amount of compensation paid to passengers who voluntarily accepted a carrier's offer to give up reserved space on an oversold flight that received cash or cash equivalent payment.	Numeric	Varies	See Form 250 Instructions line (H) and the information contained in this technical directive regarding "cash equivalent" compensation.	0

## **IV. Submission of Reports**

1. Reports should be submitted via the Department's eSubmit portal. As stated in Accounting and Reporting Directive No. 307 entitled, *Submitting Airline Data via the Internet*, recurrent reports must be submitted via the Department's secured web portal.

For assistance, carriers should e-mail [Form250.support@dot.gov](mailto:Form250.support@dot.gov).

2. Due Dates. The due date for submission of Form 250 data is 30 days after the end of the applicable quarter. For example, data for the first quarter (January, February, March) is due by April 30. If the 30th day falls on a weekend or Federal holiday, the due date will be the next business day.

3. Enforcement. Late filing, inaccurate submissions, or noncompliance with reporting requirements may subject an air carrier to enforcement action, including the assessment of civil penalties pursuant to 49 U.S.C. § 46301 for each violation (and for each day such violation continues).

4. Missing or Incomplete Records. Any carrier subject to this directive, which does not file the required data for any period, or files incomplete data, should submit a sworn statement that the carrier was unable to provide the data because it did not have and could not obtain the necessary records. That statement, as well as the veracity of the information and the data submitted, will be subject to 18 U.S.C. § 1001, regarding criminal penalties for false statements made to a government agency. The statement should be filed with the Director, Office of Airline Information, at the address below, three days prior to the due date.

5. Special Circumstances. Requests for waivers, exceptions, extensions, or other considerations must be submitted in writing to the Director, Office of Airline Information, at the address below.

## **V. Records Retention**

Form 250 is a statistical report. The record retention requirements for statistical reports are governed by 14 CFR Part 249, "Preservation of Air Carrier Records" of the Department's Regulations. Specifically, section 249.20, line 6, requires the information supporting a statistical report to be maintained by the carrier for three years.

Questions regarding this technical directive should be addressed to:

Cecelia Robinson  
(202) 366-4405  
[Form250.support@dot.gov](mailto:Form250.support@dot.gov)


This document on its own does not have the force and effect of law and is not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under 14 CFR Part 250.

William Chadwick, Jr.

Director, Office of Airline Information  
Bureau of Transportation Statistics RTS-42  
U.S. Department of Transportation  
1200 New Jersey Avenue SE  
Washington, DC 20590

# Exhibit A

OMB No. 2138-0018  
Expires 5/31/2024

 <p>U.S. Department of Transportation Bureau of Transportation Statistics</p> <p>Email this form within 30 days after the calendar quarter to: the Office of Airline Information, BTS, U.S. Department of Transportation, at: <a href="mailto:Form250.support@dot.gov">Form250.support@dot.gov</a></p> <p>(See Instructions Below)</p>		<p><b>Report of Passengers Denied Confirmed Space Due to an Oversale Situation</b></p> <p>Name of Air Carrier: _____</p> <p>OAG Carrier Code: _____</p> <p>Quarter ended: _____</p>	
1.	Number of passengers who were denied boarding involuntarily from flights that were oversold, and:		
	(a) who qualified for denied boarding compensation within the meaning of § 250.5(a)(2) and 250.5(b)(2)		
	(b) who qualified for denied boarding compensation within the meaning of § 250.5(a)(3) and 250.5(b)(3)		
2.	Number of passengers denied boarding involuntarily from flights that were oversold, who did not qualify for denied boarding compensation due to:		
	(a) The passenger does not comply fully with the carrier's contract of carriage or tariff provisions regarding ticketing, reconfirmation, check-in, and acceptability for transportation (see § 250.6(a))		
	(b) substitution of aircraft of lesser capacity or due to weight/balance restrictions on an aircraft with a designed passenger capacity of 60 or fewer seats (see § 250.6(b))		
	(c) The carrier arranges comparable air transportation or other transportation that is planned to arrive not later than 1 hour after the planned arrival time of the passenger's original flight or flights (see § 250.6(d))		
3.	TOTAL NUMBER DENIED BOARDING INVOLUNTARILY		
4.	Number of passengers denied boarding involuntarily from an oversold flight who actually received compensation, regardless of the type of compensation (e.g., voucher, cash).		
5.	Number of passengers who voluntarily accepted a carrier's offer to give up reserved space due to a potential oversale situation and did not travel on their original flight in exchange for a payment of the carrier's choosing.		
6.	Total Boardings		
7.	Amount of compensation paid to passengers who voluntarily accepted a carrier's offer to give up reserved space on an oversold flight that received cash or cash equivalent payment.		
<p>I, _____, (Name and Title) of the above-named carrier, certify that the above report has been examined by me and to the best of my knowledge and belief is a true, correct, and complete report for the period stated.</p> <p>_____ (Signature)</p> <p>_____ (Date)</p>			
<p><b>BTS Form 250</b> Formerly CAB, RSPA, and BTS Form 251</p>		<p>Estimated burden — 1 to 16 hours with the average being 6 hours. Comments regarding reporting burden or any aspect of this data collection should be sent to this office.</p>	



**FORM 250**  
**REPORT OF PASSENGERS DENIED CONFIRMED SPACE DUE TO AN OVERSALE SITUATION**  
**INSTRUCTIONS**

- (A) Air carriers that are submitting Airline Service Quality Performance Reports must submit Form 250, as it relates to flights which are oversold, on a quarterly basis for scheduled passenger flights operated by the reporting carriers with 30 or more seat aircraft, departing from a point within the United States. "Oversold flights" mean those flights where more passengers hold confirmed reservations than there are seats available on the aircraft.

For air transportation taking place on or after January 1, 2018, air carriers that are submitting Airline Service Quality Performance Reports must submit a separate Form 250 for flights marketed under only their carrier's code and operated by a code-share partner that is a certificated air carrier or commuter air carrier using aircraft that have a designed passenger capacity of 30 or more seats. Reports are due 30 days after the end of the quarter. No data are to be reported for inbound international flights that departed from a foreign point. (Data for a nonstop flight segment that departed from a U.S. point are to be reported even if that flight segment is part of a flight that originated outside the United States). The reporting regulations are contained in 14 CFR Part 250, *Oversales*.

- (B) Line (1)(a), *passengers who qualified for denied boarding compensation within the meaning of 250.5(a)(2) and 250.5(b)(2)*, means any passenger who was offered alternate transportation which, at the time the arrangement is made, is planned to arrive at the passenger's destination or first stopover more than one hour but less than 2 hours for domestic flight and more than one hour but less than 4 hours for international flights after the planned arrival time of the flight from which the passenger was denied boarding and is therefore entitled to compensation equal to 200% of the passenger's one-way fare.

Line (1)(b), *passengers who qualified for denied boarding compensation within the meaning of 250.5(a)(3) and 250.5 (b)(3)*, means any passenger who (1) was offered alternate transportation which, at the time the arrangement is made, is planned to arrive at the passenger's destination or first stopover two hours or more for domestic flights and 4 hours or more for international flights after the planned arrival time of the flight from which the passenger was denied boarding; or (2) were not offered alternate transportation and is therefore entitled to compensation equal to 400% of the passenger's one-way fare.

- (C) Line (2)(a) should include the number of passengers who were denied boarding on flights which were oversold and would otherwise be entitled to denied boarding compensation, but were refused transportation due for reasons other than selection by the carrier according to its established denied boarding priority rules. For example, if a flight is oversold but a passenger is refused transportation because they did not comply with the carrier's check-in requirements, the passenger would not be entitled to denied boarding compensation and would be recorded in line 2(a). If a passenger is refused transportation on a flight which is NOT oversold, the passenger would not be recorded in line 2(a).
- (D) *Total number denied boarding involuntarily* should equal the sum of lines 1 and 2. If not, attach notes explaining any discrepancy.
- (E) Any passenger who receives any type of compensation as a result of being involuntarily denied boarding from an oversold flight, including cash, check, or travel voucher, should be included on Line 4.
- (F) On line 5, a passenger who **volunteers** is a person who responds to the carrier's request for volunteers pursuant to 14 CFR § 250.2b and willingly consents to exchange his or her confirmed reserved space for compensation of the carrier's choosing. Any passenger selected by the carrier for denied boarding in accordance with boarding priority other than a request for volunteers is considered to have been denied boarding **involuntarily**, whether or not the passenger accepts denied boarding compensation. In order

to be classified as a volunteer, a passenger must have been given the option of taking the oversold flight for which he or she held a reservation.

- (G) *Total Boardings* on line 6 includes only revenue passengers on flights for which confirmed reservations are offered. For international flights, *Total Boardings* include only revenue passengers on flight segments departing from a U.S. point that are subject to Part 250 and for which confirmed reservations are offered.
- (H) Line 7 should include the amount of compensation paid to passengers denied boarding voluntarily who actually received compensation in the form of cash or cash equivalent payments made to those passengers, i.e., payments actually accepted by passengers, plus payments that are offered or mailed and not rejected. If a carrier does not provide cash or cash equivalent as voluntary denied boarding compensation, line 7 should be zero.
- (I) Note on the report any abnormal conditions, such as strikes, having an impact on the results.
- (J) Send reports to either: e-mail [Form250.support@dot.gov](mailto:Form250.support@dot.gov), fax (202) 366-3383 or mail:

U.S. Department of Transportation  
BTS/OAI, RTS-42  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590-0001

**OMB NO: 2138-0018**  
**EXPIRATION DATE: 5/31/2024**

#### **Paperwork Reduction Act Burden Statement**

- A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2138-0018. Public reporting for Form 250, Report of Passengers Denied Confirmed Space Due to an Oversale Situation, is estimated to be approximately 10-16 hours per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. This is a consumer report which is released to the public. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: [OAI.ICCO@dot.gov](mailto:OAI.ICCO@dot.gov)